

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael Röhr, Udo Gersemky, Wolfgang Krebs,
Anton Münzebrock, Rüdiger Ostholt, Giuliano Persico,
Erik Appel, Oliver Ullrich, Burkhard Hasenack,
Holger Freitag and Jürgen Heun
For : SUSPENDED CONTROL DEVICE
International Filing Date : 30 June 2003
International Application No. : PCT/EP2003/006923
Attorney Docket No. : MOS01 P-119
Customer No. : 28101

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF EXPRESS MAIL

I certify that the attached return postcard, Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (Form PTO-1390) (3 pages, in duplicate), Patent Application Bibliographic Data Form (3 pages), Declaration for Utility or Design Patent Application (37 C.F.R. 1.63) (5 pages, unsigned), Preliminary Amendment (12 pages), copy of International Application No. PCT/EP2003/006923 (WO 2004/007334 A1) (28 pages), International Search Report in German and English (6 pages), English language translation of the International Application (11 pages), amendments to the claims of the International Application under PCT Article 19 (5 pages), International Preliminary Examination Report under PCT Article 36 (15 pages), nine (9) sheets of drawings (in duplicate); Information Disclosure Statement (2 pages); Form PTO-1449 (1 page); and copy of information referenced in the Information Disclosure Statement as being enclosed (11 pages); and a check in the amount of \$1,750 for the filing fee are being deposited with the United States Postal Service as Express Mail in an envelope having Express Mail Label Number EV494033805US addressed to:

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Alexandria, VA 22313-1450

on January 6, 2005.

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Enc.

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| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NO. MOS01 P-119 107520551 U.S. APPLICATION NO. If known, sec 37 CFR 1.5 |
| INTERNATIONAL APPLICATION NO. PCT/EP2003/006923 | INTERNATIONAL FILING DATE 30 June 2003 (30.06.2003) | PRIORITY DATE CLAIMED 10 July 2002 (10.07.2002) 16 October 2002 (16.10.2002) |
| TITLE OF INVENTION SUSPENDED CONTROL DEVICE | | |
| APPLICANT(S) FOR DO/EO/US: Michael Röhr, Udo Gersemsky, Wolfgang Krebs, Anton Münzebrock, Rüdiger Ostholz, Giuliano Persico, Erik Appel, Oliver Ullrich, Burkhard Hasenack, Holger Freitag and Jürgen Heun | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)): <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)): <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input checked="" type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (UNSIGNED) 10. <input type="checkbox"/> A English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | |
| Items 11. to 20. below concern document(s) or information included: | | |
| <ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information: | | |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Page 1 of 3

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| US APPLICATION NO. (if known, see 37 CFR 1.5) | INTERNATIONAL APPLICATION NO. | | | ATTORNEY'S DOCKET NO. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 10/520551 | PCT/US2003/006923 | | | MOS01 P-119 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>21. The following fees are submitted:</p> <table border="1"> <tr> <td>■ a) Basic national fee</td> <td>\$300.00</td> <td>Applicant use</td> <td>Office use only</td> </tr> <tr> <td>■ b) Examination fee</td> <td>\$200.00</td> <td></td> <td></td> </tr> <tr> <td>■ c) Search fee</td> <td>\$500.00</td> <td></td> <td></td> </tr> <tr> <td colspan="2" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$1,000.00</td> <td>\$1,000.00</td> </tr> </table> <p><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</p> <table border="1"> <thead> <tr> <th>Total Sheets</th> <th>Extra sheets</th> <th>Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>- 100 =</td> <td>/50 =</td> <td></td> <td>x \$250.00</td> </tr> </tbody> </table> <p><input type="checkbox"/> Surcharge of \$130.00 for furnishing the oath or declaration later than 20 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>27 - 20 =</td> <td>7</td> <td>x \$ 50.00</td> </tr> <tr> <td>Independent claims</td> <td>5 - 3 =</td> <td>2</td> <td>x \$ 200.00</td> </tr> </tbody> </table> <p><input type="checkbox"/> MULTIPLE DEPENDENT CLAIM(S) (if applicable)</p> <table border="1"> <thead> <tr> <th colspan="2">TOTAL OF ABOVE CALCULATIONS</th> <th>=</th> <th>\$1,750.00</th> </tr> </thead> <tbody> <tr> <td colspan="2"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</td> <td>+</td> <td>\$</td> </tr> <tr> <td colspan="2"></td> <td>SUBTOTAL</td> <td>= \$1,750.00</td> </tr> <tr> <td colspan="2">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td></td> <td>\$</td> </tr> <tr> <td colspan="2"></td> <td>TOTAL NATIONAL FEE</td> <td>= \$1,750.00</td> </tr> <tr> <td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</td> <td>+</td> <td>\$</td> </tr> <tr> <td colspan="2"></td> <td>TOTAL FEES ENCLOSED</td> <td>= \$1,750.00</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be Refunded:</td> <td>\$</td> </tr> <tr> <td colspan="2"></td> <td>charged:</td> <td>\$</td> </tr> </tbody> </table> | | | | | ■ a) Basic national fee | \$300.00 | Applicant use | Office use only | ■ b) Examination fee | \$200.00 | | | ■ c) Search fee | \$500.00 | | | TOTAL OF ABOVE CALCULATIONS = | | \$1,000.00 | \$1,000.00 | Total Sheets | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | - 100 = | /50 = | | x \$250.00 | CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | Total claims | 27 - 20 = | 7 | x \$ 50.00 | Independent claims | 5 - 3 = | 2 | x \$ 200.00 | TOTAL OF ABOVE CALCULATIONS | | = | \$1,750.00 | <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | + | \$ | | | SUBTOTAL | = \$1,750.00 | Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | \$ | | | TOTAL NATIONAL FEE | = \$1,750.00 | Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | + | \$ | | | TOTAL FEES ENCLOSED | = \$1,750.00 | | | Amount to be Refunded: | \$ | | | charged: | \$ |
| ■ a) Basic national fee | \$300.00 | Applicant use | Office use only | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ■ b) Examination fee | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ■ c) Search fee | \$500.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | \$1,000.00 | \$1,000.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total Sheets | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| - 100 = | /50 = | | x \$250.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total claims | 27 - 20 = | 7 | x \$ 50.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | + | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | SUBTOTAL | = \$1,750.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| | | TOTAL FEES ENCLOSED | = \$1,750.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Amount to be Refunded: | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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10/52051

PTO-1390 (Rev. 12-2004)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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US APPLICATION NO. (if known, see 37 CFR 1.5)

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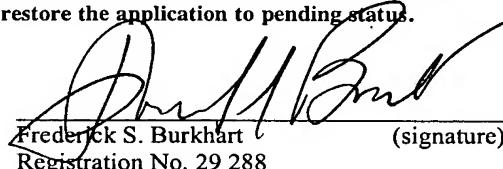
- a. A check in the amount of \$1,750.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. 22-0190 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 22-0190. A duplicate copy of this sheet is enclosed.
- d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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 Post Office Box 888695
 Grand Rapids, Michigan 49588-8695

Telephone: (616) 988-4104
 Facsimile: (616) 975-5505



Frederick S. Burkhart
 Registration No. 29 288

(signature)

Dated: January 6, 2005.